

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In Re RODNEY QUINE,
Plaintiff.

Case No. 14-cv-02556-JST (PR)

ORDER OF DISMISSAL

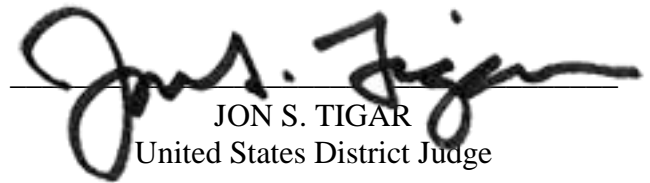
On May 22, 2014, plaintiff, a California state prisoner, filed a letter with the Court referencing prison gangs, enemy safety issues, and attempts on his life. In a notice dated June 3, 2014, the Clerk of the Court directed plaintiff to complete a civil rights complaint form and an in forma pauperis (IFP) application, and told him that he must complete these documents within twenty-eight days or his action would be dismissed. The Clerk sent plaintiff a blank civil rights complaint form as well as a prisoner's IFP application. More than twenty-eight days have passed, and plaintiff has not filed the necessary documents.

The Court notes that plaintiff has filed a separate action in this Court alleging claims related to his Gender Identity Disorder. See Quine v. Brown, C 14-2726 JST (PR). In that action plaintiff did file a complete IFP application and civil rights complaint form. On June 18, 2014, the Clerk advised plaintiff that his IFP application and complaint had been received in C 14-2726 but not in this case. Upon further review of the complaint in C 14-2726, plaintiff states that the instant action was a "letter declaration." See C 14-2726, Dkt. No. 1, at 2. It therefore appears that plaintiff's May 22, 2014 letter was not intended as a new action.

1 Accordingly, this action is DISMISSED WITHOUT PREJUDICE. The Clerk shall close
2 the file. Plaintiff's complaint and IFP application in C 14-2726 JST (PR) will be reviewed in that
3 action.

4 **IT IS SO ORDERED.**

5 Dated: July 28, 2014


JON S. TIGAR
United States District Judge

United States District Court
Northern District of California